

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**ABINDON CALENDAR - MAY 21, 2003**

(The Honorable William F. Stone, Jr. Presiding)

(Start:      Recess:      ♦ Resume:      Stop:      ♦ Trials:      Proceedings      )

Attys:                      Debtors:                                      Case Nos.:                      Trustees:

**9:30 A.M. -PRE-TRIAL CONFERENCES**

Copeland      JERRY & CATHY STURGILL-chll                      7-03-00093                      DIP/JM  
A/P 7-03-00024: Injunction or other equitable relief - **AMENDED COMPLAINT**  
Debtors v. Day Spring Cards Inc (   \*   ) & Provident Music Group (       )  
- \*Ord of 4/23 dismissed DaySpring Cards as party defendant.; contd from 5/7 & 5/21

Martin      JENNIFER HAZELWOOD-ch7                      7-00-00183                      Callahan/JM  
A/P 7-03-00038: Object to or revoke discharge (11USC§727)  
W. Clarkson Mc Dow Jr, U. S. Trustee (Garber) v. Debtors  
—contd from 5/21 for filing of Motion/Notice for Entry of Default Judgment Order

Sheffield      LEWIS HARRIS-ch7                      7-02-04886                      Callahan/SO  
A/P 7-03-00035: Det. Dischargeability ; reissued summons for 5/21 from 5/7  
Amanda Rike (Copeland) v. debtor (Sheffield)  
Answer filed 4/16; d/e # 11

A/P 7-03-00045: Det. Dischargeability  
Hilary K. Johnson (Copeland) v. debtor (Sheffield)  
Answer filed 4/16, d/e # 5

**10:00 A. M. - MISCELLANEOUS**

H Brown      LYNN LAYHER-ch7      7-03-00190      Callahan/LM  
Motion of U. S. Trustee (Cosby) to Review Attorney's Fees filed 3/13; d/e # 16

Abingdon Calendar - 5/21/03

**10:00 A. M. - MISCELLANEOUS**

Gifford      SHARRYL JENNELL-SUTHERLAND - Ch. 7      7-02-00739      Wick/VS  
Trustee's Motion for Compensation for fees in the amount of \$3,800.61 &  
expenses of \$222.82 [d/e # 42]

Attorney for Trustee's Motion for Compensation for fees in the amount of  
\$4,023.43 and expenses of \$912.20 [d/e # 43]

Snodgrass      JAMES & PEGGY ISOM-ch7      7-02-04845      Krippend/SL  
Trustee Obj to Claim of Exemptions (d/e # 12) contd from 4/2

Carmody      JAMES & LOIS ESKEW`-ch7      7-03-00425      Wick/SL  
Motion to showcase: Contempt: Imposition of Sanctions: v. SunTrust Bank  
filed 3/17; d/e # 16 *contd from 4/16 & 5/21 (in settlement negotiations)*

Mark Black      GORDAN & DEBORRAH JONAS-ch7      7-02-02287      Wick/NS  
Motion of Trustee to Approve Compromise w/Debtors, Treasurer Wythe County  
(Crockett) and Bank of America NA (Coble)  
*-no objections filed as of due date, 5/2.*

Snodgrass      JENNIFER BORDWINE-ch7      7-03-00666      Callahan/JJ  
Motion #1: Relief - filed 4/18; d/e # 16, 17  
Branch Banking & Trust (Patterson) v. debtor & trustee  
**–ORDER of 4/22, d/e # 18: Recusal to Honorable Ross W. Krumm Chief Judge**

Abingdon Calendar - 5/21/03

**10:00 A. M. - MISCELLANEOUS**

Arkema      WOODTECH, INC.-ch7      7-02-02451      Krippendorf/GR  
Motion #11: Sell Property of Estate free & Clear of Liens  
Evelyn K. Krippendorf, Trustee (Krippendorf) v. IRS, served U. S. Atty; District Director  
and Attorney Gen. Of the U.S.TAx Div (      );  
Tazewell County Va. served c/o Dennis Simmons, county atty); First Community  
Bank NA , served c/o J. Peter Richardson, Esq.; Debtor c/o Neil McCullagh Esq  
(      ) and Blue Ridge Basket Co LLC, served c/o R. Neal Keesee  
Jr Esq (      )  
**–amended Motion #11 filed 5/1; d/e # 214**  
Answer filed 5/9; d/e/ # 216 on behalf of Tazewell Co Va (Lamie)

Copeland      WALTER MCKINNON-ch7      7-98-04022      Smith/  
Motion for compensation of trustee W. Alan Smith in amt of \$9717.84 and  
\$675.69 expenses filed 4/15; d/e # 85, 86 (absent Objs 5 days before hrg, ord/ntc self-  
executing) – **Notification faxed of no objs, ord self executing.**

Motion of Trustee, W. Alan Smith, Trustee, for payment of CPA, Brown,  
Edwards & Co. in the amount of \$1,230 [d/e # 89, 90]  
**–Motion to Employ Brown, Edwards , d/e # 92, and Original Motion filed  
with U. S. Trustee endorsement 4/29, d/e # 93; notice filed without self-executing  
provision – call on docket.**

Kendrick      RICKEY & PATRICIA KEENE-ch7      7-03-00908      Callahan/AF  
Motion #1: relief - filed 4/22; d/e # 13, 14  
SLM Financial Corp (Hutton) v. debtors & trustee

Farthing                      LISA HODGE-ch7    7-03-01191    Wick/GR  
Motion #!: Relief - filed 4/22; d/e # 10, 11  
Bank One/Valley national Financial Services (Neyhart) v. debtor & trustee

*–see original of tendered order in case file*

Abingdon Calendar - 5/21/03

**10:00 A. M. - MISCELLANEOUS**

Lamie                      GEORGE MARSHALL - CH7    7-01-02972    Callahan/SJ  
Motion of Debtor by counsel for Credit Against Judgment of Trustee, filed 4/23, d/e#131  
– *contd from 5/21*

J Jessee                      DARRELL BREEDING-ch7    7-02-03003    Callahan/VS  
Motion #5: Relief - filed 4/23, d/e # 86, 87  
Miners & Merchants Bank (Bolling) v. debtor & trustee  
–**ORDER (default) entered 5/12, granted relief**

Leonard                      LAMBERT OIL CO INC-ch11    7-03-01183    DIP/VS  
Lawson                      Motion #1: Relief - filed 4/21, d/e # 25, 26  
Bay View Franchise Mortgage Acceptance Co (Humphreys) v. debtor  
RESPONSE filed by Debtor 4/30 [d/e # 29]  
– *pull case file and Motion #1 from separate brown Accordian file*

*\* Mark Dessauer for movant called; parties want to file motion w/court for a continued hearing to be held in Roanoke - willing to pay court reporter if a special date is required thereon.*

**10:00 A. M. - MISCELLANEOUS**

Carmody                      SCOTTY & MARY LOWE-ch7    7-00-02291    Callahan/GR

Motion #1: Relief - filed 4/24, d/e # 72, 73  
New Peoples Bank Inc (Hutton) v. debtors & trustee

Motion to Redeem Property filed 5/12, d/e # 74  
**Obj:** filed by New Peoples Bank (Hutton) [d/e # 75]

Pro se                      JENNIFER HUNTER-ch 7                                      7-03-01226                                      Krippend/JJ  
                                 Motion #!: relief - filed 4/24; d/e # 15, 16  
                                 Highlands Union Bank (Hutton) v. debtor & trustee  
                                 **-Agreed Order entered 5/14, d/e # 17**

Abingdon Calendar - 5/21/03

**10:00 A. M. - MISCELLANEOUS**

Copeland                      G AND A COAL COMPANY - Ch.7                                      7-99-02321                                      Callahan/GR  
                                 Supplemental Application for Allowance of Administrative Expense of UMWA  
                                 **-reserve 1 hour** , filed 3/12, d/e # 274 (Kieffer) *contd from 4/16*  
                                 *note: Counsel Kieffer & Stark*  
                                 OBJECTION filed by Trustee to Supplemental Application for Allowance of  
                                 Administrative Expenses [d/e # 285]

Re: 5/15 hrg by telephone conference w/Stark, Kieffer & Lockland: **hrge cancelled**; Star to tender scheduling order

Money                      JAMES & LORIE ROBINSON - Ch. 7                                      7-02-04828                                      Krippendorf/AF  
                                 Trustee's Motion for Turnover of Property [d/e # 21]

Trustee's Objection to Debtors' Claim of Exemptions [d/e # 22]

Farthing                      LISA STONE    7-03-01279    Krippendorf/NS  
                                 Motion #1: Relief - filed 5/1; d/e # 10 (no pre hrg ord entrd - less than 20-day notice)  
                                 Highlands Union Bank (Hutton) v. debtor & trustee  
                                 **-Agreed Order entered 5/14, d/e # 11**



Trustee, Wick (Wick) v. Shaw Honaker  
–contd by order for Showcause on Contempt IF Defendant fails to comply with  
Order of 5/21 reference pmt of funds by certified check to appropriate payee

**11:00 A. M. - MISCELLANEOUS**

Copeland	JERRY & CATHY STURGILL-chll	7-03-00093	DIP/VS
	Status Hearing new Ch 11 case		

**1:00 P. M. - CHAPTER 13 CONFIRMATIONS**

Snodgrass	ANTHONY & APRIL HUFF	7-02-04596	widener/JJ
	Mod Plan filed 4/3; d/e # 31, 32		

Abingdon Calendar - 5/21/03

**1:00 P. M. - CHAPTER 13 CONFIRMATIONS**

Snodgrass	DANNY POLLARD - Ch. 13	7-02-05083	Widener/AF
	Mod. Plan filed 2/10 [d/e # 20, 22] contd from 3/5 & 4/16 to hear w/valuatons		
	Trustee's Show Cause : Dismiss/Convert, d/e # 24 contd from 3/5 & 4/16		

Valuation Motion: 1987 Ford Pickup : Tico Credit Co Inc, filed 4/18; d/e # 29

Valuation Motion: 2002 Ford F-150 Pickup: DaimlerChrysler Services NA LLC  
filed 4/18; d/e # 30

Timoney	PHYLLIS HOUSE-chl3	7-02-05095	Widener/SL
	Mod Plan filed 3/21, d/e # 28, 29		

Trustee Motion to convert/dismiss filed 2/18; d/e # 24, contd from 3/5 to be  
heard w/Mod Plan IF filed , d/e # 31

Farthing	DEBBIE SEMONES	7-02-04248	Widener/AF
	Amended Valuation: American General Finance: 1984 Trailer & 1988 Nissan Pick-Up Filed 5/15, d/e # 70		
	Motion #1: Relief - filed 2/7; d/e # 36, 38 (Stones Chapel Rd., Elk Creek Va) American General Finance (Neyhart) v. debtor & trustee <i>–Ord of 2/25 granted extension to 3/3 to file response to Mot.#1; Mot contd fr 3/5 <u>Answer filed 3/6</u>; contd from 4/16 &amp; 5/21</i>		

Abingdon Calendar - 5/21/03

**1:00 P. M. - CHAPTER 13 CONFIRMATIONS**

Snodgrass	WALTER KYLE - Ch. 13	7-02-03268	Widener/AF
	Mod. Plan filed 3/31 [d/e # 51]		

Largen	MICHAEL & MARGARET SOBEY - Ch. 13	7-02-05141	Widener/GR
	Mod. Plan filed 4/1 [d/e # 26]		
	<b>Objection:</b> Chase Manhattan Corp (Sasser) <i>Contd fr 4/2 -Obj withdrawn: ord of 4/4</i> Highlands Union Bank (Hutton) <i>contd fr 4/2</i> Trustee Showcause: Dismiss/convert, filed 2/26; d/e # 21 <i>contd fr 4/2</i>		

Lamie	FRED HICKS JR-chl3	7-02-04483	Widener/VS
	Mod Plan filed 1/16; d/e # 17, 18 <i>contd fr 3/5 &amp; 4/16</i>		
	<b>Objection:</b> Highlands Union Bank (Hutton) filed 1/27; d/e #20 <i>contd fr 3/5 &amp; 4/16</i> Motion of Trustee to CON VERT filed 12/19; d/e # 14 <i>contd from 2/4 &amp; 3/5 &amp; 4/16</i>		



–SEE ALSO 1:30 & 2:00 CONFIRMATION HEARINGS

**1:30 P.M. - CONFIRMATION & MISCELLANEOUS**

Hutchinson      ROBERT, JR., & LOVINIA SALTZ - Ch. 13      7-02-00625      Widener/SL  
Debtors' Motion for Extension of Time to 4/25 to file amended plan [d/e # 52]  
–confirmation set 6/4 @ 1

Motion of Trustee to dismiss or reconvert to Ch7 - contd from previous hearings

–SEE ALSO 2:00 P.M. CONFIRMATION HRG

Abingdon Calendar - 5/21/03

**1:30 P.M. - MISCELLANEOUS**

Largen      LISA REEDY - Ch. 13      7-01-02474      Widener/NS  
Motion # 1: Relief–filed 4/30 [d/e # 28]  
Bank of America, NA (Kieffer) v. Debtor & Trustee  
Response filed 5/9, d/e # 30

Carmody      DELLA LOONEY - Ch. 13      7-03-00229      Widener  
Carmody      DELLA LOONEY - Ch. 13      7-03-00229      Widener/SJ  
Plan [d/e # 29] ; *mod plan filed 5/1, d/e # 29, with c/s*

Trustee's Report w/objection & Show Cause on Dismissal/Conversion [d/e # 30]

–      GRAYSON MOUNTAIN WATER CO-ch7      7-01-03363      Wick/VS  
Notice of Intent to Present Order Approving Compensation of Counsel for Trustee,  
Steven Higgs, in amt of \$17,147.00 filed 4/18; d/e # 160 *contd from 5/7*

**2:00 P. M. - CONFIRMATIONS**

Via KENA & TRACY BARBER-chl3 7-03-00282 Widener/SJ  
Plan filed 2/10; d/e # d/e # 22  
Trustee Report, Objection & Showcause: Dismiss or convert, filed 4/18; d/e # 27

Objection to Claim # 1 of Nova Star Mortgage in the amount of \$104,805.23,  
including \$8,523.45 arrearage (payments misapplied by creditor) [d/e # 26]

Motion #1: relief - filed 4/24, d/e # 29,30  
\*Novastar Mortgage Inc - (Bierman) v. debtors & trustee  
Response filed 5/5, d/e # 33

Motion #2: relief - filed 4/24, d/e # 31, 32  
\*Novastar Mortgage Inc ( Bierman) v. debtors & trustee  
Response filed 5/5, d/e # 34  
*\*separate loans on same collateral*

Abingdon Calendar - 5/21/03

**2:00 P.M. - MISCELLANEOUS**

Proctor GARY HAMMER 7-00-04114 Widener/GR  
Motion of Trustee to Convert or Dismiss case filed 3/17; d/e # 51 *contd from 4/16*

Timoney LACY & PHYLLIS HANCOCK 7-02-00515 Widener/SL  
Motion of Trustee to Convert or Dismiss case filed 4/18; d/e #37

Lamie JAMES & ADA STREET 7-98-04824 Widener/SJ  
Motion of Trustee to Convert or Dismiss case filed 4/18; d/e # 29

**2:30 P.M. - TRIAL**

Carroll	RONNIE & MELISSA BLANKENSHIP - Ch. 7	7-02-03605	Wick
	A/P 7-02-00175: Complaint to determine dischargeability of debt		
	Snap-On Credit, LLC (Fleischhauer) v. Ronnie Blankenship		

***–HHT on 5/15: Ord entered to extend discovery, etc., and  
cancelling trial (plaintiff counsel to contact court when  
ready to re-schedule trial ; discovery extended;***

***Following case moved from 3:30 to 2:30***

**2:30 P.M. - TRIAL**

Copeland	BEAR RIDGE MINING INC-chll	7-00-00708	DIP/AF
	Hearing on Motion of R. Anders, G. Christian, D. Houchins and J.Meadows (Lamie) for Administrative Expense Payment		
	<i>–Note: re: counsel’s conference with court on 5/7: motion may be filed reference deposition issues for hearing on 5/21 unless counsel can submit on written argument..... ( trial will be re-scheduled )</i>		